

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|---------------------------------|---|----------------------|
| THOMSON REUTERS ENTERPRISE |) | |
| CENTRE GMBH and WEST PUBLISHING |) | |
| CORPORATION, |) | |
| |) | |
| Plaintiffs and |) | |
| Counterdefendants, |) | C.A. No. 20-613 (SB) |
| |) | |
| v. |) | |
| |) | |
| ROSS INTELLIGENCE INC., |) | |
| |) | |
| Defendant and |) | |
| Counterclaimant. |) | |

PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT (NO. 3)
ON FAIR USE AND OTHER DEFENSES

Pursuant to Federal Rule of Civil Procedure 56, Plaintiffs Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation (collectively, "Plaintiffs") respectfully move for entry of partial summary judgment in favor of Plaintiffs on certain of Defendant ROSS Intelligence Inc.'s affirmative defenses, namely, fair use, First Amendment, first sale doctrine, consent/waiver/laches/estoppel, lack of ownership, tort of another, and authorized use/license/consent/acquiescence.

The grounds for this motion are set forth in Plaintiffs' opening brief and supporting exhibits and declarations, filed concurrently. A proposed order is attached.

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[PROPOSED] ORDER

This Court, having considered Plaintiffs Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation's (collectively, "Plaintiffs") Motion for Partial Summary Judgment (No. 3) on certain of Defendant ROSS Intelligence Inc.'s ("ROSS") affirmative defenses, namely, fair use, First Amendment, first sale doctrine, consent/waiver/laches/estoppel lack of ownership, tort of another, and authorized use/license/consent/acquiescence.

IT IS HEREBY ORDERED this ____ day of _____ 202__ that Plaintiffs' Motion for Summary Judgment (No. 3) on ROSS's Affirmative Defenses is **GRANTED**.

Dated: _____

The Honorable Stephanos Bibas

CERTIFICATE OF SERVICE

I hereby certify that on December 22, 2022, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on December 22, 2022, upon the following in the manner indicated:

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